

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

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| FRED LEE WEBER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 4:20-CV-1304 PLC |
| |) | |
| KILOLO KIJAKAZI, |) | |
| Acting Commissioner of Social Security, |) | |
| |) | |
| Defendant. |) | |

MEMORANDUM AND ORDER

This case is before the Court on Defendant Kilolo Kijakazi’s motion to reverse the decision of the administrative law judge (ALJ) and remand the case to Defendant pursuant to sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g). [ECF No. 28] Plaintiff has no objection and “requests that the Court grant Defendant’s motion to reverse and remand[.]” [ECF No. 29]

On September 23, 2020, Plaintiff filed a complaint seeking review of Defendant’s decision that Plaintiff was not under a disability within the meaning of the Social Security Act. [ECF No. 1] Defendant filed an answer and a transcript of the administrative proceedings. [ECF Nos. 16, 17] Plaintiff filed a brief in support of the complaint, as well as a statement of material facts. [ECF Nos. 26, 27]

On September 20, 2021, Defendant filed the instant motion to reverse and remand the case for further action under 42 U.S.C. § 405(g), which permits the Court to “enter, upon the pleadings and transcripts of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” 42 U.S.C.

§ 405(g). [ECF No. 28] Defendant states: “After careful review of the above-captioned case, agency counsel determined that remand was necessary for further evaluation of Plaintiff’s claims. On remand, the agency will reevaluate the medical evidence in accordance with the regulations, including 20 C.F.R. § 404.1520c, and issue a new decision.” [Id.]

Based on the record, the Court grants Defendant’s unopposed motion to reverse the ALJ’s decision and remand the matter to Defendant for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Accordingly,

IT IS HEREBY ORDERED that Defendant’s unopposed motion to reverse and remand [ECF No. 28] is **GRANTED**.

A separate judgment in accordance with this Memorandum and Order is entered this same date.



PATRICIA L. COHEN
UNITED STATES MAGISTRATE JUDGE

Dated this 27th day of September, 2021